

EXHIBIT 8

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Annabelle Timsit and Matt Viser, “Elon Musk Is a ‘Special Government Employee.’ What Does that Mean?” Washington Post (Feb. 4, 2025)
<https://www.washingtonpost.com/politics/2025/02/04/elon-musk-special-government-employee-meaning/>.

Democracy Dies in Darkness

Elon Musk is a ‘special government employee.’ What does that mean?

The SGE designation, which has come under scrutiny under Democrats as well, exempts short-term federal employees from certain disclosure rules.

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By [Annabelle Timsit](#) and [Matt Viser](#)

White House press secretary Karoline Leavitt has confirmed that Elon Musk — the tech billionaire whom President Donald Trump tapped to lead a large-scale effort to cut government spending and regulation — is a “special government employee.”

Musk’s work in the White House — without having stepped aside from his business roles — has drawn scrutiny from Democrats. Leavitt said he has “abided by all applicable federal laws.”

Here’s what to know.

The facts

- A special government employee is “anyone who works, or is expected to work, for the government for 130 days or less in a 365-day period,” with or without

compensation, according to the Justice Department. It is not clear how long Musk's mission as head of the Department of Government Efficiency is expected to last.

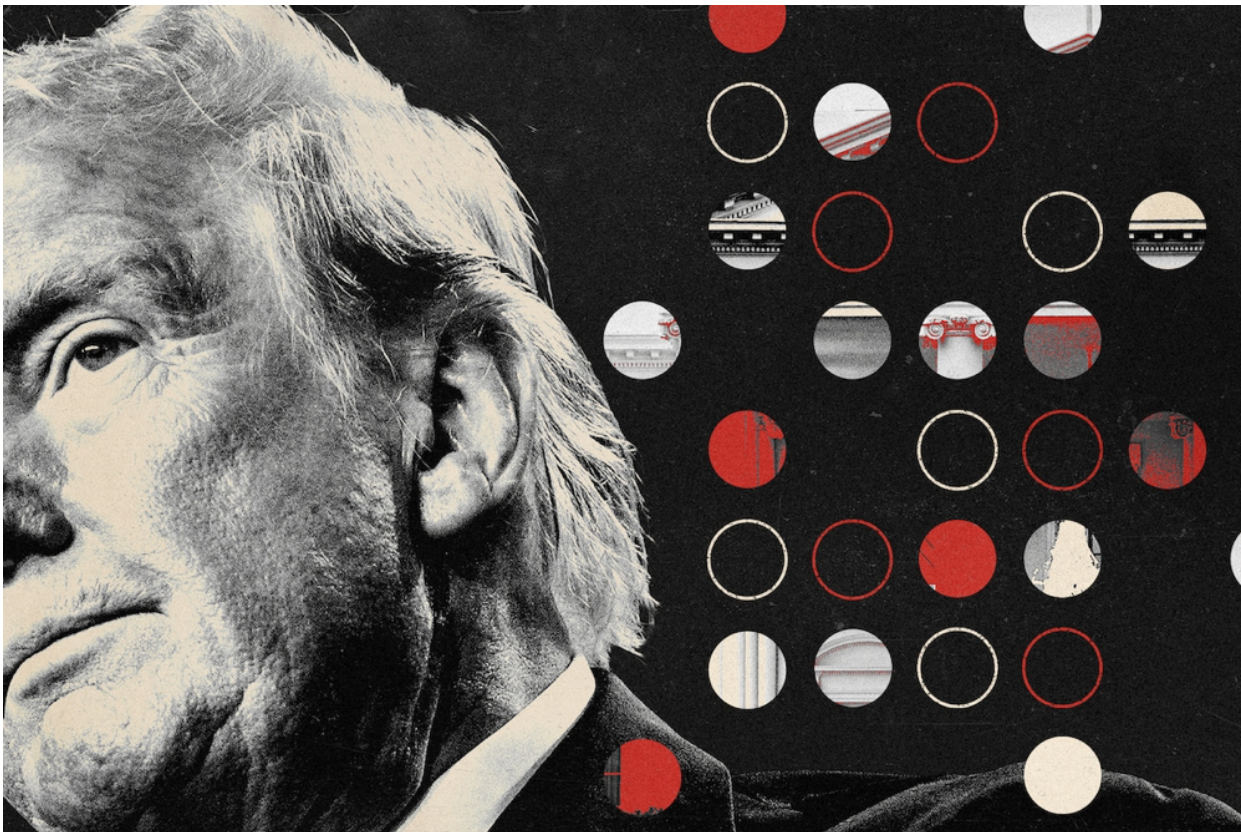
- The classification means Musk is not a volunteer but is considered less than a full-time employee. It also means he is exempt from some of the rules — including around financial disclosures and conflicts of interest — that apply to full-time government employees.
- Democratic lawmakers and some Republicans have expressed concern about Musk's expansive mandate given that he has never been elected.
- "Elon Musk is a once-in-a-generation business leader," Leavitt told journalists Monday. "He is an entrepreneur. He serves a great ally and a friend and president."

What rules do special government employees have to follow?

Special government employees, or SGEs, "are subject to most rules, although sometimes in a less restrictive way," the Justice Department said in a summary.

For example, SGEs who are paid at or below the level of federal employees with Senior Executive Service status are not required to file a public financial disclosure report; instead, they can file a report confidentially if they are expected to "have a substantial role in the formulation of agency policy," according to the U.S. Office of Government Ethics.

Trump presidency



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This is especially relevant in Musk's case, because critics have argued that his ownership of Tesla and SpaceX represents a [conflict of interest](#) in his review of government spending and regulation, particularly in his dealings with government agencies that have in the past decided whether to award contracts to his companies or laid out rules that influence his companies' actions and profits.

Richard Painter, who served as chief White House ethics lawyer under President George W. Bush, [said on CNN](#) Monday, before Leavitt confirmed Musk's SGE status, that Musk is "running around acting like a federal employee, but he doesn't want to comply with a criminal conflict of interest statute."

“He’s playing with fire, and the White House needs to make it clear he’s a federal employee, or he’s not, and then have him perform the appropriate functions,” Painter said.

The White House did not immediately respond to a request for comment from The Washington Post early Tuesday about Musk’s private-sector work and its potential impact on his role with the government.

Musk’s actions as a special government employee

The White House’s disclosure comes after weeks of speculation about Musk’s status, as the tech billionaire has moved with unprecedented speed and wide-ranging access to close government agencies and push out federal employees.

Musk has announced that he is in the process of closing the U.S. Agency for International Development; made buyout offers to federal employees as part of an effort to completely reorganize the government workforce; and recently gained access to a sensitive Treasury Department system responsible for trillions of dollars in U.S. government payments.

Trump on Monday reiterated his support for Musk’s actions but said he could act only with the backing of his administration.

“Elon can’t do and won’t do anything without our approval, and we’ll give him the approval, where appropriate; where not appropriate, we won’t. But he reports in,” Trump told reporters.




Podcast episode

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“If there’s a conflict, then we won’t let him get near it. But he does have a good, natural instinct. He’s got a team of very talented people. We’re trying to shrink government, and he can probably shrink it as well as anybody else, if not better,” Trump added.

Special government employee is not a novel

designation

SGEs have been the subject of controversy before, with some critics arguing that they can blur lines between the private and public sector and help circumvent rules that are meant to protect the work of government from outside influence. Under the Biden administration, Anita Dunn, an adviser and co-founder of the powerful public relations and political strategy firm SKDK, was brought on as an SGE and came under the scrutiny of some ethics experts, who said her status allowed her to avoid rules meant to promote transparency.

And in 2013, Sen. Chuck Grassley (R-Iowa), now the president pro tempore of the U.S. Senate, questioned Hillary Clinton's use of the program, saying it allowed her to bring political allies on board while they pursued private-sector careers. Grassley instructed the Government Accountability Office to conduct a review, and in a 2016 report, the GAO said that several government agencies struggled to reliably track SGEs and had “weak internal coordination and misunderstanding about the SGE designation.”

At the time, Grassley said, “This is worrisome because if the government isn’t properly tracking who has the designation, it may not be looking at whether anyone has a conflict of interest with government service and a private sector job.”
